

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

February 11, 2009

The meeting was called to order at 4:03 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, and Mary Jayne Davis

ABSENT:

Jason Jones

WEST VALLEY CITY PLANNING DIVISION STAFF

John Janson, Hannah Thiel, and Nichole Camac

WEST VALLEY ADMINISTRATIVE STAFF:

Nicole Cottle, Deputy City Attorney

AUDIENCE

Approximately six (6) people were in the audience

ZONE CHANGE APPLICATION:

ZT-17-2008

Sections 7-1-103, 7-2-131, 7-6-1002, 7-6-1012, 7-6-1103, and 7-6-1108, - Fighting

Ordinance text change

Staff Presentation by Hannah Thiel, Planner I

Background

With the growing support of fighting events in the media, small businesses have wanted to host fights at their place of business. As there is concern from staff, the Building Department, the Fire Department and the Police Department to keep these events safe for all that are competing and attending, staff is proposing a text change to provide guidelines for fighting events.

This ordinance would add a definition to the ordinance for ‘unarmed combat’ that would include ultimate fighting, kick boxing, boxing, martial arts, or combative event where a fee is charged. This would not include classes at a karate school or a similar instructional setting. The fighting event would be limited to permanent facilities with permanent seating. In addition, a series of requirements are already required as part of the State Code that are placed on the event to provide utmost safety. These requirements include keeping a doctor ringside, requiring an ambulance onsite, requiring fighters to have a physical before and after the match, requiring law enforcement officers onsite, and so on. These events would require a conditional use permit in C-2, C-3, and M zones and would not be permitted in other zones. In addition, unarmed combat would be added to the regulations for reception halls that would require fighting events to be located at least 500 feet from any residential property line if later than ten o’clock pm.

Recommendations/ Staff Alternatives

- Approval of the Fighting Events Text Change, subject to any issues raised at the public hearing
- Continuance, for resolution of any issues that may arise at the public hearing.
- Denial of Fighting Events Text Change

Applicant:

West Valley City

Favored:

Carl Andreason

WVC Fire Department

Favored:

Dean Williams

WVC Fire Department

Favored:

Lamont Cox

WVC Police Department

Discussion: Hannah Thiel presented the application. Phil Conder questioned if City security and safety would be required at an event held at a Granite School District event. Hannah replied that Granite School District would be responsible to provide their own services. Nicole Cottle agreed and stated that Granite School District is exempt from West Valley City’s laws. Commissioner Conder asked if

West Valley City Police and Fire would have to respond in the event of an emergency. Nicole replied yes. Jack Matheson asked if someone wanted to put on a lot of events and modified the building code would it then become a permitted use. Hannah replied that it would technically be a conditional use but could be considered a permitted use after the Planning Commission reviewed the application in a public hearing to ensure any detrimental impacts are mitigated for the event itself and the surrounding neighborhood.

Dean Williams of the West Valley City Fire Department stated that there were two events held by the Samoan Festival on the same night and the Fire Department was unable to cover both. Terri Mills questioned how many firemen are required to be at a single event. Dean replied that 6-8 paramedics are required by the Athletic Commission. Lamont Cox of the West Valley City Police Department added that the number of Police Officers is based on a determination of how large the crowd is. He added that the sport is gaining in popularity which is why an ordinance is important to ensure a safe facility that is easier to regulate. He stated that an event held in Ogden last week hosted 7,000 people. Phil Conder asked how many officers would be required if a hypothetical fight was held at Hale Theatre. Lamont replied that it would be determined on the number of tickets sold as well as the rankings and crowd appeal of the fighters. He stated that it could be around 10 officers who sign up as an off duty job and are paid separately for their services. Lamont indicated that a hockey game requires 6 officers inside and 6 outside for parking with 4500 tickets being sold. Jack Matheson asked if the traffic controllers are paid for an event. Lamont replied yes. Carl Andreason of the West Valley City Fire Department stated that school related activities are taken care of by the State Fire Marshall but West Valley City would have to provide medical support, etc. as well. Response to an emergency is divided by both units.

Harold Woodruff asked if an event was scheduled at the Hale Center Theatre would the applicant have to come to the Planning Commission for a conditional use. Hannah stated that they would be required to do so because of the unarmed combat use. Chairman Woodruff asked if the E-Center would have to. Nicole Cottle replied that it would most likely not have to because the E-Center is approved for sporting events. Mary Jayne Davis expressed concern that Ultimate Fighting is labeled as a sport. Hannah replied that whether it's a sport or not is based on personal opinion. Harold Woodruff added that it is regulated by the State Sports commission so it is considered a sport. Jack Matheson commented that the original draft for this ordinance included language regarding a minimum number of seating in a venue to be 10,000 and asked why this was struck out. Hannah indicated that City Administration felt it would be more appropriate to restrict the facility rather than the number of people. Commissioner Matheson expressed concern that an event held anywhere other than the E-Center could require the City to commit resources that are not being paid for. Harold Woodruff stated that he feels an applicant will have a hard time meeting all the requirements in this ordinance as it is. He stated that including a certain number of seats doesn't seem

to be a good way of writing an ordinance and added that restricting an event to a City facility isn't fair. Terri Mills stated that she is not comfortable with the ordinance because she isn't familiar with the sport. Chairman Woodruff stated that the Police and Fire Departments have dealt with these events before and have put appropriate conditions into this proposed ordinance. He added that any sport or activity can get out of hand and it doesn't seem appropriate to label this a certain way simply because it isn't a well known sport yet. Jack Matheson agreed but added that Police Officers on duty have at least 10 phone calls waiting at any given time and he isn't comfortable risking these resources. Chairman Woodruff stated that he doesn't like that either but indicated that the officers may be called with another event anywhere as well. Carl Andreason expressed concern with smaller buildings being unable to maintain proper emergency exits with the fighting rings in place.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Matheson moved for denial due the possibility that the events may commit City resources.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Conder	No
Commissioner Davis	No
Commissioner Fuller	No
Commissioner Matheson	No
Commissioner Mills	No
Chairman Woodruff	No

Unanimous - ZT-17-2008-- Denied

Chairman Woodruff called for a second motion.

Motion: Commissioner Conder moved for approval.

No one seconded the motion

Chairman Woodruff called for a third motion.

Motion: Commissioner Fuller moved for approval subject to a minimum 2,000 seat facility.

Commissioner Matheson seconded the motion.

Roll call vote:

Commissioner Conder	Yes
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Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

Majority - ZT-17-2008– Approved

PLANNING COMISSION BUSINESS

Approval of minutes from January 21, 2009 (Study Session) **Approved**

Approval of minutes from January 28, 2009 (Regular Meeting) **Approved**

Approval of minutes from February 4, 2009 (Study Session) **Unable to Approve**

There being no further business, the meeting adjourned at 5:07 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant